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2 Nevada State Bar No. 815
3 WOODBURN AND WEDGE
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9 ewinograd@woodburnandwedge.com

10 Attorney for Plaintiff Christopher Bruneau

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
FEB 13 2020	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

13 CHRISTOPHER BRUNEAU,
14 Plaintiff,

15 v.

16 COUNTRYWIDE MOVING PLUS, LLC;
17 SUPREME VAN LINES; and DOES I-X,
18 inclusive,
19 Defendant(s).

Case No. 3:19-cv-00634-MMD-CBC
REQUEST FOR AMENDED EX PARTE
ORDER FOR PUBLICATION
(1st Request to amend 1-22-2020 Order)

20 Plaintiff CHRISTOPHER BRUNEAU ("Plaintiff"), by and through his counsel of
21 record, Ellen Jean Winograd, Esq. of the firm of Woodburn and Wedge, pursuant to LR IA
22 6-1 and FRCP 4(m) and 6(b), hereby requests an amendment of this Court's Order
23 Allowing Service of Process by publication.

24 This *ex parte* motion is based on the accompanying Points and Authorities, the
25 Declaration of Ellen Jean Winograd, Esq., previously filed on January 14, 2020 [Doc 11],
26 the January 17, 2020 and January 22, 2020 Orders [Doc 13, 16] and all papers and
27 pleadings on file herein.

28 I. INTRODUCTION

The instant matter arises from an interstate shipment of household goods from
Reno, Nevada to Knoxville, Tennessee. The entire load was lost or destroyed in shipment.
This matter is governed, *inter alia*, by Chapter 49 of the United State code. This Court has
jurisdiction over this matter pursuant to 28 USC §§ 1337;1331 and 1367.

The instant motion arises after this court previously ordered that Plaintiff may

1 **publish the Summons and Complaint in the Miami Herald [Doc 16].**

2 **II. ARGUMENT**

3 On October 17, 2019 Plaintiff Christopher Bruneau filed suit against Countrywide
4 Moving Plus, LLC and Supreme Van Lines. After numerous efforts to serve Defendants as
5 set forth in Plaintiff's January 14, 2020 *Ex Parte* Motion to Extend Time to Serve Summons
6 and Complaint and *Ex Parte* Motion for Order to Serve Defendants by Publication, this
7 Court entered an Order granting the extension of time in which to serve Defendants, but
8 denying the Motion because the name of the proposed publication was inadvertently
9 omitted. [Doc 13] On January 22, 2020, pursuant to Motion, this Court granted Plaintiff's
10 request for an Order allowing publication. [Doc 16]

11 The publication designated in the January 22, 2020 Order was the Miami Herald.
12 Plaintiff now seeks an amendment of the Order to allow the publication to occur in the
13 Broward Daily Business Review for two reasons.

14 First, the Broward Daily Business Review appears to be a business publication,
15 better suited to cover the geographic area in which both Defendants are physically located.
16 Second, the price difference between publication in the Miami Herald (\$1,672.68) and the
17 Broward Daily Business Review (\$306.40) see statements from Miami Herald and Broward
18 Daily Business Review, submitted herewith as Exhibits 8 and 9. This price difference is

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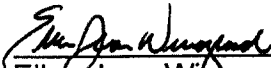
28 ///

1 significant and in the interest of judicial economy, **Plaintiff requests that the Order be**
2 **modified to allow publication in the Broward Daily Business Review.**


3 RESPECTFULLY SUBMITTED this 11 day of February 2020.

4 WOODBURN AND WEDGE

5
6 By:


Ellen Jean Winograd, Esq.
Nevada State Bar No. 815
6100 Neil Rd., Ste. 500
Reno, NV 89505
ewinograd@woodburnandwedge.com
Attorney for Plaintiff Christopher Bruneau

10 IT IS SO ORDERED:

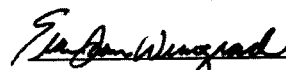
11 
12 United States Magistrate Judge
13 DATE: 2/13/2020

14
15 **DECLARATION**

16 1. Declarant, Ellen Jean Winograd, is an attorney duly licensed to practice law in
17 Nevada and is attorney for Plaintiff Christopher Bruneau herein.

18 2. All exhibits attached hereto are true and correct copies of the documents they
19 purport to be.

20 3. Declarant executes this declaration under penalty of perjury.

21
22 
23 Ellen Jean Winograd, Esq.
24 Nevada State Bar No. 815
25 6100 Neil Rd., Ste. 500
26 Reno, NV 89505
27 ewinograd@woodburnandwedge.com
28 Attorney for Plaintiff Christopher Bruneau

CERTIFICATE OF SERVICE

Haleigh Valenta, being first duly sworn, deposes and says:

1. Affiant is over 21 years of age, and not a party to the within action.

2. On February 12, 2020, Affiant mailed the Request for Amended *Ex Parte* Order for Publication, enclosed in sealed envelopes, certified mail return receipt requested, and postage prepaid, addressed to the last known addresses of Defendants as follows:

Resident Agent
c/o Supreme Van Lines, Inc.
411 NE 2nd Avenue
Hallendale, FL 33009

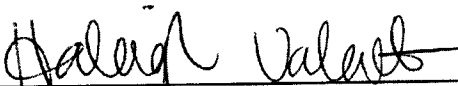
Conor Slaight, Resident Agent
c/o Countrywide Moving Plus, LLC
1119 New Lake Drive
Boynton Beach, FL 33426

Supreme Van Lines, Inc.
Attn: Claims
201 King of Prussia Road, Suite 650
Randor, PA 19087

Countrywide Moving Plus, LLC
4701 North Federal Highway, Suite 430
Lighthouse Point, FL 33064

Affirmation

The undersigned affirms that this document does not contain the Social Security number of any person.



Signature

EXHIBIT LIST

8. Miami Herald statement 2 pages
9. Broward Daily Business Review statement 1 page

EXHIBIT 8

EXHIBIT 8

Miami Herald Media Company
 3511 NW 91 Avenue
 Miami, FL 33172

Miami Herald **el Nuevo Herald**

Order Confirmation

Customer

WOODBURN AND WEDGE

Customer Account

767563

Customer Address

6100 NEIL RD., STE 500
 RENO NV 89511 USA

Customer Phone

775-688-3051

Customer Fax

Sales Rep

loperez@mcclatchy.com

Payor Customer

WOODBURN AND WEDGE

Payor Account

767563

Payor Address

6100 NEIL RD., STE 500
 RENO NV 89511 USA

Payor Phone

775-688-3051

Customer Email

Order Taker

loperez@mcclatchy.com

PO Number

legal notice

Payment Method

Credit Card

Blind Box

Tear Sheets

0

Proofs

0

Affidavits

1

Net Amount

\$1,672.68

Tax Amount

\$0.00

Total Amount

\$1,672.68

Payment Amount

\$0.00

Amount Due

\$1,672.68

Ad Order Number

0004554638

Order Source

Ordered By

Haleigh Valenta

Special Pricing

Invoice Text

legal notice

Promo Type

Package Buy

Materials

Ad Order Information

Ad Number	Ad Type	Production Method	Production Notes
0004554638-01	MIA-CL Liner	AdBooker	

External Ad Number	Ad Attributes	Ad Released	Pick Up
		No	

Ad Size	Color
1 X 53 li	

Product	Placement	Times Run	Schedule Cost
MIA-Miami Herald	0300 - Legals Classified	4	\$1,672.68

Run Schedule Invoice Text	Position
CHRISTOPHER BRUNEAU, Plaintiff, v. COUNT	0301 - Legals & Public Notices

Run Dates
02/06/2020, 02/13/2020, 02/20/2020, 02/27/2020

CHRISTOPHER
BRUNEAU,
Plaintiff,
v.
COUNTRYWIDE MOVING PLUS,
LLC; SUPREME VAN
LINES; and
DOES I-X, inclusive,
Defendant(s)
Case No. 3:16-cv-00634-MMD-
CBC

A lawsuit has been filed against you. The claims asserted against you include a violation of federal law pursuant to 49 U.S.C. § 14706 for loss of household goods, and fraud, and the relief sought includes compensatory and punitive damages, an award of reasonable attorney's fees and costs, damages, and interest for any damages awarded. Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ellen Jean Winograd
Woodburn and Wedge
6100 Neil Rd., Ste 500
Reno, NV 89511

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.
NRC 4.4(c)(2)(C).

EXHIBIT 9

EXHIBIT 9

Public Notice Order Confirmation

This is not an Invoice

Daily Business Review

Zone: Florida - Broward

Ad Order #: 0000455860

Account #: 9045476

Acct Name: WOODBURN AND WEDGE

PO #: 3:18-CV-00634-MMD-CBC

Phone: 775-888-3051

Placement: Other Notices

Position: Miscellaneous / Other Notices

Ad Size: 5.08 inches

Run Dates: 02/11, 02/18, 02/25, 03/03

Firm Internal #:

PO# 2:

Amount Due: 308.40

Ad Text

Case No. 3:16-cv-00634-MMD-CBC
CHRISTOPHER BRUNEAU,
Plaintiff,

v.

COUNTRYWIDE MOVING PLUS,
LLC; SUPREME VAN LINES; and
DOES I-X, inclusive,
Defendant(s)

A lawsuit has been filed against you. The claims asserted against you include a violation of federal law pursuant to 49 U.S.C. § 14706 for loss of household goods, and fraud, and the relief sought includes compensatory and punitive damages, an award of reasonable attorney's fees and costs, damages, and interest for any damages awarded. Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (e)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ellen Jean Winograd
Woodburn and Wedge
6100 Neil Rd., Ste 500
Reno, NV 89511

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

NRCP 4.4(c)(2)(C).
2/11-18-25 3/3 20-56/0000455860B